BOARD OF SUPERVISORS COUNTY OF STAFFORD STAFFORD, VIRGINIA

MINUTES Regular Meeting May 17, 2011

<u>Call to Order</u>. A regular meeting of the Stafford County Board of Supervisors was called to order by Mark Dudenhefer, Chairman, at 3:04 p.m., Tuesday, May 17, 2011, in the Board Chambers, Stafford County Administration Center.

<u>Roll Call</u> The following members were present: Mark Dudenhefer, Chairman; Harry E. Crisp II; Gary F. Snellings; Cord A. Sterling; Susan B. Stimpson; and Robert "Bob" Woodson. Paul V. Milde III, Vice Chairman arrived at 3:39.

Also in attendance were: Anthony Romanello, County Administrator; Charles Shumate, County Attorney; Marcia Hollenberger, Chief Deputy Clerk; Pamela Timmons, Deputy Clerk; associated staff and interested parties.

<u>Legislative</u>; <u>Standing Committee Reports by Board Members</u> Board members provided Standing Committee updates as identified:

Harry Crisp - Finance and Budget Committee update

Mr. Crisp made the following statement: "After considerable deliberation and a number of discussions with Bobby and close friends, I have decided not to run for re-election to the Stafford Board of Supervisors. I have very mixed feelings about this, since there are many issues and activities that I would like to continue to be involved in.

However, I have come to the conclusion that at this point in my life I need the time to attend to many things that I have neglected over the past several years. I also want to spend more time with Bobby, our children, and grandchildren. We have six now and two more on the way.

I have greatly enjoyed serving on the Board of Supervisors. It has been very challenging, and very interesting. It has also been very rewarding in terms of the many new friends that we made, the opportunity to serve my constituents, and to give back to the community that has given so much to me and my family. I am very proud of the many things that have been accomplished during my time on the Board. Not everything has worked out the way we desired, but on the whole, I believe that Stafford County is in better shape now than when I first came on the Board.

When I ran for office, I pledged to be a full-time supervisor and I have tried hard to do that to the very best of my ability. I will continue to try to do this through the end of my term. I thank all of you for the fine support you have given me over the past four years. Your words of encouragement and advice have been very helpful along the way."

Cord Sterling - Commented on serving with Mr. Crisp and the challenges and successes they shared.

Susan Stimpson - Commented on the preliminary subdivision plans, attending FPED and thanked Mr. Crisp for everything while he has been on the Board.

<u>Virginia Department of Transportation Quarterly Update</u> Mr. Rodney White, Director of Transportation and Land Use, gave a presentation and answered Board members questions. Mr. White provided each supervisor with updates specific to their districts, as well as VDOT's construction projects. He also provided updates on preliminary engineering regarding the I-95/Route 630 interchange, Route 17 widening, and the Falmouth Intersection.

Mr. Crisp asked Mr. White to provide a status of Route 3 East paving. Mr. Snellings requested that VDOT perform a speed study on Enon Road. Mr. Snellings also asked that Mr. White provide a timeline for England Run. Ms. Stimpson asked about VDOT resurfacing the Williams Street Bridge. Mr. Dudenhefer asked about signs in the Park Ridge subdivision and also asked that VDOT look at the widening of Winding Creek Road. Mr. Sterling inquired about the Park and Ride lot at Staffordboro and asked for a status update. Mr. White replied that it was moving forward and that the design process was wrapping up.

Regional Land Use Scenario Planning; Lloyd Robinson, George Washington Regional Commission Mr. Lloyd Robinson gave a presentation and answered Board members questions. Mr. Snellings asked if the "outer connector" was truly a dead issue and Mr. Robinson replied that it was "killed" five years ago. He also reported that Mr. Eldon James would be assuming the position of Acting Director at FAMPO due to the resignation of Mr. Bob Wilson.

<u>Legislative</u>; <u>Closed Meeting</u>. At 4:03 p.m. Mr. Milde motioned, seconded by Ms. Stimpson, to adopt proposed Resolution CM11-08.

Prior to the vote, Mr. Woodson said that he would be voting against adjourning to Closed Meeting because he felt that the issue of the Comprehensive Plan should be discussed in open session in order to ensure transparency in government. Mr. Dudenhefer said that the Closed Meeting was to provide legal advice and there would be ample time for discussion following the Closed Meeting.

Mr. Sterling said that he, too, would vote against it due to the subject of the Comprehensive Plan, adding that the Planning Commission made very serious mistakes and stated that he felt that it was good for the citizens of Stafford County to know how serious the mistakes were. Mr. Sterling did not attend the Closed Meeting.

The Voting Board tally was:

Yea: (4) Milde, Stimpson, Dudenhefer, Snellings

Nay: (3) Crisp, Sterling, Woodson

Resolution CM11-08 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting legal advice regarding the Proposed Comprehensive Plan Amendments; and

WHEREAS, pursuant to Section 2.2-3711 A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17th day of May, 2011, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 4:46 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Ms. Stimpson motioned, seconded by Mr. Milde, to adopt proposed Resolution CM11-08(a).

The Voting Board tally was:

Yea: (6) Stimpson, Milde, Crisp, Dudenhefer, Snellings, Woodson

Nay: (0)

Abstain: (1) Sterling

Resolution CM11-08(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 17, 2011

WHEREAS, the Board has, on this the 17th day of May, 2011 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 17th day of May, 2011, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business

matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

Recess At 4:47 the Chairman declared a recess until 7:00 p.m.

<u>Call to Order</u> At 7:03 p.m., the Chairman called the meeting back to order.

<u>Invocation</u> Mr. Crisp gave the Invocation.

<u>Pledge of Allegiance</u> Boy Scout Troop 1425 led the Pledge of Allegiance to the Flag of the United States of America.

<u>Presentation</u>; 2010 <u>Historic Preservation Awards Presentation</u> Ms. Cessie Howell, Ms. Jane Conner and Ms. Anita Dodd presented the 2010 Historic Preservation Awards to the following recipients: Al Conner, William Gordon Shelton, III, Jim Padgett, Barbara Flock, Biana Jensen, Logan Carpenter, and Girl Scout Troop 753.

Recess At 7:26 P.M., the Chairman declared a recess.

<u>Call to Order</u> At 7:33 P.M., the Chairman called the meeting back to order.

Legislative; Presentations by the Public

The following persons desired to speak:

Paul Waldowski - Census/Redistricting

Joint Public Hearing with the Virginia Department of Transportation to Consider Approval of the VDOT FY2012-2017 Secondary Six-Year System Program Mr. Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions. Also present were Rodney White and Susan Gardner with VDOT.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Sterling, to adopt proposed Resolution R11-129. The Voting Board tally was:

Yea: (6) Snellings, Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (0)

Absent: (1) Milde

Resolution R11-129 reads as follows:

A RESOLUTION TO ADOPT THE VIRGINIA DEPARTMENT OF TRANSPORTATION FY2012-FY2017 SECONDARY SYSTEM SIX-YEAR IMPROVEMENT PROGRAM

WHEREAS, pursuant to Section 33.1-70.01 of the Code of Virginia (1950), as amended, the Board and representatives of the Virginia Department of Transportation have conducted a public hearing for the proposed FY2012-FY2017 Secondary System Six-Year Improvement Program; and

WHEREAS, the Board sets priorities for the Secondary System Six-Year Improvement Program (SSYP); and

WHEREAS, the Board desires to receive the funding provided by the proposed FY2012-FY2017 SSYP to complete road improvement priorities in Stafford County; and

WHEREAS, the Board has considered the recommendations of staff and the testimony received at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the FY2012-FY2017 Secondary System Six-Year Improvement Program be and it hereby is adopted; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the VDOT Residency Administrator.

<u>Public Works; Consider Restricting Through Truck Traffic on Wyne Drive</u> Mr. Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Ms. Stimpson motioned, seconded by Mr. Sterling, to adopt proposed Resolution R11-122.

The Voting Board tally was:

Yea: (7) Stimpson, Sterling, Crisp, Dudenhefer, Milde, Snellings, Woodson

Nay: (0)

Resolution R11-122 reads as follows:

A RESOLUTION TO REQUEST THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO RESTRICT THROUGH TRUCK TRAFFIC ON WYNE DRIVE (SR-1008)

WHEREAS, the Board is interested in promoting public health, safety, and welfare, including the prevention of accidents and injuries caused by large truck traffic in residential areas; and

WHEREAS, large trucks travel between Warrenton Road (US-17) and Melchers Drive (SR-1001), using Wyne Drive (SR-1008) which is a residential street and would create a safety concern for the residents of this residential area; and

WHEREAS, the County commits to enforcing this proposed through truck restriction; and

WHEREAS, the County is required to conduct and transcribe a public hearing for the proposed restrictions to restrict through truck traffic on certain road segments, in accordance with Section 46.2-809 of the Code of Virginia (1950), as amended; and

WHEREAS, the Board has considered the recommendations of staff and the public testimony at the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the Virginia Department of Transportation be and it hereby is requested to restrict through truck traffic on Wyne Drive (SR-1008); and

BE IT FURTHER RESOLVED that Warrenton Road (US-17) from Wyne Drive (SR-1008) to Solomon Drive (SR-Pending), Solomon Drive from US17 to Melchers Drive, and to Melchers Drive (SR-1001), from Solomon Drive to Wyne Drive (SR-1008) be designated as the alternate route for said truck traffic.

Public Works; Amend Stafford County Code, Section 15-56, Entitles "Designation of Restricted Parking Areas" to Establish a Restricted Parking Area in the Park Ridge Subdivision Mr. Keith Dayton, Director of Public Works, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Dudenhefer motioned, seconded by Mr. Sterling, to adopt proposed Ordinance O11-28.

The Voting Board tally was:

Yea: (7) Dudenhefer, Sterling, Crisp, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Ordinance O11-28 reads as follows:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE, SECTION 15-56, ENTITLED "DESIGNATION OF RESTRICTED PARKING AREAS" TO INCLUDE STREETS IN PARK RIDGE SUBDIVISION

WHEREAS, Sections 46.2-1222.1 and 46.2-1224 of the Code of Virginia (1950), as amended, authorize the County to regulate or prohibit the parking on any public highway in the County, of any or all of the following: watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes; and

WHEREAS, the Board finds that regulating or prohibiting the parking of watercraft, boat trailers, motor homes, camping trailers, commercial vehicles, and the parking of motor vehicles, trailers, or semitrailers for commercial purposes on public highways serves the public health, safety, and welfare of the County and its citizens; and

WHEREAS, on June 15, 2010, the Board adopted Ordinance O10-37, which established criteria for the designation of restricted parking areas; and

WHEREAS, the Park Ridge Homeowners Association approved a resolution dated November 9, 2010, requesting the establishment of a restricted parking area within the Park Ridge Subdivision and the resolution satisfies the requirements of Stafford County Code, Section 15-56; and

WHEREAS, the proposed streets meet the established criteria to designate a restricted parking area; and

WHEREAS, the Board has conducted a public hearing in accordance Section 15.2-1427 of the Code of Virginia (1950), as amended; and

WHEREAS, the Board has carefully considered the recommendations of staff and the testimony at the public hearing;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this, the 17th day of May 2011, that Stafford County Code, Section 15-56, entitled "Designation of Restricted Parking Areas", be and it hereby is amended and reordained as follows, all other portions remain unchanged:

- (f) The following constitute the restricted parking areas within Stafford County where the provisions of this ordinance are in full force and effect:
 - (11) Park Ridge Subdivision on the following named streets:
 - (A) Hampton Park Road (Parkway Boulevard to 158' west of Whitson Ridge Drive);
 - (B) Parkway Boulevard

Economic Development/Planning and Zoning; Authorize Adoption of the Master Redevelopment Plan Mr. Brad Johnson, Redevelopment Administrator; and Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Crisp motioned, seconded by Mr. Sterling, to defer this item until after UDAs are approved. Discussion ensued.

Mr. Woodson asked about Boswell's Corner and if the Marines had commented on the proposed 1700 new residential units versus the 744 by-right units. Mr. Johnson responded that he had not heard from the Marines on this particular issue. Mr. Woodson cited other instances where the Marines had objected to growth in the vicinity of Marine Corps Base Quantico. Mr. Sterling asked for clarification as to whether they simply did not like it or had they stated a firm objection. Mr. Romanello responded that at various times, they have done both. Mr. Sterling talked about encroachment issues at Oceana in Norfolk and the resulting consequences. He added that while he likes the Redevelopment Plan, he is not supportive of 1700 units in the Boswell's Corner area.

Mr. Milde asked if it read, "up to 1700 units" in the Plan. Mr. Baroody replied that there is no reference to 1700 units in proposed Resolution R11-150. Mr. Milde talked about possible Transfer of Development Rights and said that he likes the flexibility that "up to 1700 units" allows. Mr. Sterling said that the words, "up to" essentially authorizes 1700 units. Mr. Milde said that he disagreed with Mr. Sterling's statement.

Dr. Crisp said that he may not be ready to vote, suggesting that this item be deferred until UDAs were finalized. Ms. Stimpson said that a lot of time had been spent on this and said that a deferral was another delay tactic and she did not feel there was a need to defer.

Mr. Sterling made a substitute motion, seconded by Dr. Crisp, to adopt proposed Resolution R11-150 with a maximum of 744 units allowed in the Boswell's Corner RDA.

The Voting Board tally on consider the substitute motion was:

Yea: (5) Sterling, Crisp, Dudenhefer, Milde, Woodson

Nay: (2) Snellings, Stimpson

The Voting Board tally on the substitute motion was:

Yea: (5) Sterling, Crisp, Dudenhefer, Stimpson, Woodson

Nay: (2) Milde, Snellings

Resolution R11-150 reads as follows:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 15.2-2229 AND SECTION 15.2-2230 OF THE CODE OF VIRGINIA (1950), AS AMENDED, BY ADOPTING THE PROPOSED AMENDMENT, ADVERTISED, INCLUDING AS ECONOMIC DEVELOPMENT ELEMENT, ENTITLED "STAFFORD COUNTY MASTER REDEVELOPMENT PLAN." DATED OCTOBER, 2009, REVISED AS THE **PLANNING** COMMISSION AT ITS MEETING ON MARCH 15, 2011.

WHEREAS, under Section 15.2-2229 of the Code of Virginia (1950), as amended, the Board may amend its Comprehensive Plan; and

WHEREAS, under Section 15.2-2229 of the Code of Virginia (1950), as amended, the Planning Commission (the Commission) has been directed by the Board to prepare and consider Comprehensive Plan amendments; and

WHEREAS, under Section 15.2-2230 of the Code of Virginia (1950), as amended, the Commission can review the Stafford County Comprehensive Plan to determine whether it is advisable to amend the Comprehensive Plan; and

WHEREAS, the proposed amendment to the Comprehensive Plan would amend the Comprehensive Plan by adopting a new economic development element entitled "Stafford County Master Redevelopment Plan," dated October, 2009, with recommendations for changes to existing County ordinances, policies, and procedures to serve as a framework to guide the coordinated and harmonious development of the County's four Redevelopment Areas: Boswell's Corner, the Courthouse area, Falmouth Village, and the Southern Gateway, as revised by the Commission at its meeting on March 15, 2011; and

WHEREAS, the Commission duly advertised and held a public hearing on April 20, 2011, on the proposed Comprehensive Plan Amendment, received a recommendation of County staff supporting approval of the proposed Amendment, received public testimony, decided on a 4-3 vote to recommend approval of Volume II and decided on a 5-2 vote to recommend approval of Volumes I, III, IV, V, VI, VII, VIII, IX, and X, and has forwarded its recommendation of approval of the proposed Comprehensive Plan amendment to the Board; and

WHEREAS, the Board duly advertised and held a public hearing on the proposed Comprehensive Plan Amendment on May 17, 2011, at which time public testimony was received and the above-referenced Comprehensive Plan Amendment was considered by the Board; and

WHEREAS, the Board has carefully considered the recommendations of the Commission, the recommendations of County staff, and the public testimony at the public hearing; and

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendment, as advertised, will guide a coordinated and harmonious development of the County's four Redevelopment Areas: Boswell's Corner, the Courthouse area, Falmouth Village, and the Southern Gateway which will, in accordance with the present and probable future needs and resources of Stafford County, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the citizens of Stafford County, Virginia, including the elderly and persons with disabilities; and

WHEREAS, the Board concludes that the adoption of the proposed Comprehensive Plan Amendment, as advertised, is consistent with good planning practices.

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May 2011, hereby adopts the proposed Comprehensive Plan Amendment, as advertised, by approving a new economic development element, entitled "Stafford County Master Redevelopment Plan," dated October, 2009, as revised by the Commission at its meeting on March 15, 2011.

BE IT FURTHER RESOLVED that the maximum allowed dwelling units in the Boswell's Corner Redevelopment Area is modified to a maximum of 744 units.

<u>Planning and Zoning</u>; Approve a Conditional Use Permit for a Telecommunications <u>Facility at 1443 Warrenton Road</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions.

The Chairman opened the public hearing.

No persons desired to speak.

The Chairman closed the public hearing.

Mr. Snellings motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-52, deleting Condition #4.

The Voting Board tally was:

Yea: (7) Snellings, Milde, Dudenhefer, Sterling, Crisp, Stimpson, Woodson

Nay: (0)

Resolution R11-52 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP1000345 TO ALLOW A 180-FOOT TALL MONOPOLE TELECOMMUNICATIONS FACILITY IN AN A-2, RURAL RESIDENTIAL ZONING DISTRICT LOCATED ON ASSESSOR'S PARCEL 35B-1-7, IN THE HARTWOOD ELECTION DISTRICT

WHEREAS, Community Wireless Structures VII, LLC, applicant, has submitted application CUP1000345 requesting a Conditional Use Permit to allow a 180-foot tall monopole telecommunications facility in an A-2, Rural Residential Zoning District on Assessor's Parcel 35B-1-7; and

WHEREAS, the application has also been submitted pursuant to Stafford County Code, Section 28-35, which permits a telecommunications facility in the A-2, Rural Residential Zoning District with a Conditional Use Permit; and

WHEREAS, the Board has carefully considered the recommendations of the Planning Commission, and staff, and the public testimony at the public hearing; and

WHEREAS, the Board finds that the request meets the standards of the Zoning Ordinance for issuance of a Conditional Use Permit:

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that a Conditional Use Permit pursuant to application CUP1000345 be and it hereby is approved with the following conditions:

- 1. This Conditional Use Permit is to allow a telecommunications facility in an A-2, Rural Residential Zoning District located on Assessor's Parcel 35B-1-7.
- 2. There shall be one (1) tower permitted on the property. The tower shall be monopole type construction. The maximum height of the tower shall be 180 feet. Any lightning rod or other antenna, excluding panel antennas, cannot exceed 185 feet.
- 3. The location of the telecommunications facility on the site shall be in conformance with the Generalized Development Plan (GDP) entitled "CWS Site #99 Paynes Corner," dated October 30, 2010, last revised on January 26, 2011.
- 4. There shall be no signs on the telecommunications tower other than an identification sign required by the Federal Communications Commission (FCC) or other federal or state agency.
- 5. Low impact design methods shall be incorporated into the design of the tower as shown on the plan, including:
 - a) All cables from the tower to the equipment shelters shall be located below the top rail of the solid board on board screening fence.
 - b) At any height above the screening fence, RF transmission cables associated with the tower shall be located within the tower itself. Notwithstanding the forgoing, such transmission cables may exit the tower at the appropriate cable ports for connection to the respective antennas located at each cable port location.
 - c) If any antenna mounting platform(s) is utilized on the tower, all such platforms shall be a low profile design.
- 6. Once the telecommunications facility is no longer in use, written notice shall be sent to the County Administrator specifying discontinuance of use of the facility. Within 12 months of cessation of use of the telecommunications facility, the equipment and the tower shall be removed by the tower owner. Prior to building permit approval, the tower owner shall enter into a performance agreement with Stafford County for removal of the telecommunications facility.
- 7. Prior to building permit approval, the applicant shall submit and obtain approval of an engineer's cost estimate, post a Letter of Credit or other security acceptable to Stafford County for one hundred ten (110) percent of the cost of removal of the telecommunications tower and telecommunications facility.
- 8. The tower shall be designed to accommodate at least six (6) carriers.

- 9. Prior to issuance of a final zoning permit for the telecommunications facility, the applicant shall provide to the County copies of a certified as-built survey for the tower. The as-built survey shall identify the mean surface elevation for the base of the tower as well as the top of the tower, to include any lightning rods or similar appurtenances.
- 10. Any frequencies or signals emitted by equipment at the facility shall not interfere with or be incompatible with communications frequencies associated with Stafford County's Emergency 911 system or the Stafford Regional Airport. The applicant and any future lessees must provide an intermodulation study showing that the proposed telecommunications equipment will not interfere with Stafford County's Emergency 911 system or the Stafford Regional Airport prior to obtaining a building and/or zoning permit.
- 11. In the event a County agency desires to locate its communication equipment on the facility, the applicant shall provide adequate space on the tower and on the ground lease area. The County may use the tower and ground lease area for thirty (30) years once the owner is notified of the County's intent at no cost to the County. The parties shall mutually agree to the location of the antenna and equipment.
- 12. If building permits are not obtained within five (5) years from the date of approval of this Conditional Use Permit, this Conditional Use Permit shall expire.
- 13. This conditional use permit may be revoked or conditions amended by the Board for violation of these conditions or any applicable county, federal, or state codes, laws, ordinances, or regulations.

<u>Planning and Zoning</u>; <u>Approve a Conditional Use Permit for Motor Vehicle Rental Use at 2610 Jefferson Davis Highway</u> Mr. Jeff Harvey, Director of Planning and Zoning, gave a presentation and answered Board members questions. Mr. Clark Leming represented the applicant.

Mr. Milde asked for specifics as to what types of vehicles would be rented. Mr. Woodson asked for clarification about the one previously mentioned complaint that had been filed against the location. Mr. Harvey said that he would provide an answer to Mr. Woodson but he did not know at the time. Mr. Leming offered that it was a complaint about the "visual" regarding the location of the parked U-Hauls.

The Chairman opened the public hearing.

The following persons desired to speak:

Paul Waldowski

The Chairman closed the public hearing.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R11-107 with changes as detailed below.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R11-107 reads as follows:

A RESOLUTION TO APPROVE A CONDITIONAL USE PERMIT PURSUANT TO APPLICATION CUP2900280 FOR A MOTOR VEHICLE RENTAL USE IN A B-2, URBAN COMMERCIAL ZONING DISTRICT, ON ASSESSOR'S PARCEL 30-3L WITHIN THE AQUIA ELECTION DISTRICT

Recess At 9:12 P.M., the Chairman declared a recess.

Call to Order At 9:25 P.M., the Chairman called the meeting back to order.

<u>Legislative</u>: <u>Additions/Deletions to the Regular Agenda</u> Dr. Crisp motioned, seconded by Ms. Stimpson, to adopt the agenda. Item #4 was deleted from the agenda and Item #29, a discussion of the Comprehensive Plan, was added.

The Voting Board tally was:

Yea: (7) Crisp, Stimpson, Dudenhefer, Milde, Snellings, Sterling, Woodson

Nay: (0)

<u>Legislative</u>; <u>Consent Agenda</u> Mr. Woodson motioned, seconded by Mr. Crisp, to adopt the Consent Agenda consisting of Items 11 thru 25, removing Item 24 until later in the meeting.

The Voting Board tally was:

Yea: (7) Woodson, Crisp, Stimpson, Dudenhefer, Milde, Snellings, Sterling

Nay: (0)

Item 11. Legislative; Approve the Minutes of the May 3, 2011 Board Meeting

Item 12. Finance and Budget; Approve Expenditure Listing

Resolution R11-156 reads as follows:

A RESOLUTION TO APPROVE EXPENDITURE LISTING (EL) DATED MAY 3, 2011 THROUGH MAY 16, 2011

WHEREAS, the Board has appropriated funds to be expended for the purchase of goods and services in accordance with an approved budget; and

WHEREAS, the payments appearing on the above-referenced Listing of Expenditures represent payment of \$100,000 and greater for the purchase of goods and/or services which are within the appropriated amounts;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May 2011 that the above-mentioned EL be and hereby is approved.

Item 13. Fire and Rescue; Authorize a Statement of Understanding Between Stafford County and the American Red Cross

Resolution R11-146 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A STATEMENT OF UNDERSTANDING BETWEEN STAFFORD COUNTY AND THE AMERICAN RED CROSS

WHEREAS, it is the desire of the Board to enter into a Statement of Understanding with the American Red Cross for assistance as needed for emergency response in the event of natural or manmade disasters; and

WHEREAS, the American Red Cross will provide assistance to Stafford County for the coordination of emergency response planning and operational assistance in the event of natural or man-made disasters;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County be and it hereby does

approve the Statement of Understanding between Stafford County and the American Red Cross; and

BE IT FURTHER RESOLVED on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute the Statement of Understanding, subject to approval as to form by the County Attorney.

<u>Item 14. Utilities; Authorize Contracts for Water and Sewer Maintenance and</u> Construction Services for FY2012

Resolution R11-142 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE CONTRACT RENEWALS OR EXTENSIONS FOR WATER AND SEWER MAINTENANCE AND CONSTRUCTION SERVICES

WHEREAS, the Department of Utilities periodically requires the services of outside contractors to perform water and sewer maintenance and construction projects that are beyond the capabilities of County staff; and

WHEREAS, funds have been appropriated in the FY2012 Operating and Capital Improvement budgets for this purpose; and

WHEREAS, the County has contracts for these services that provide for up to four (4) one-year extensions;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May 2011, that the County Administrator be and he hereby is authorized to execute contract renewals or extensions with Kruckenberg Service Company, Primary Responder, in an amount not to exceed Five Hundred Thousand Dollars (\$500,000); W. C. Spratt, Inc., a Secondary Responder, in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000); and Patterson Construction Company, a Secondary Responder, in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) to continue to provide water and sewer maintenance and construction services for the County during FY2012.

Item 15. Utilities; Authorize Execution of a Contract for Water Meters and Accessories

Resolution R11-143 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR WATER METERS AND ACCESSORIES

WHEREAS, the Department of Utilities needs to purchase water meters and accessories as part of its billing system; and

WHEREAS, the Board has appropriated funds in the FY2012 Operating Budget for these purchases; and

WHEREAS, Sensus Metering Systems, Inc. is the sole source supplier of the water meters and accessories used by the County, for its automated water meter reading system;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May 2011, that the County Administrator be and he hereby is authorized to execute a contract with Sensus Metering Systems, Inc. in an amount not to exceed Two Hundred Nineteen Thousand Five Hundred Eighteen Dollars (\$219,518), unless changed by a duly-executed change order, for the purchase of water meters and accessories through June 30, 2012.

<u>Item 16. Utilities; Authorize a Contract for Engineering and Design Services for Phase</u>
<u>II, 342 Water Zone Improvements</u>

Resolution R11-155 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR ENGINEERING AND DESIGN SERVICES FOR PHASE II OF THE 342 WATER ZONE SYSTEM IMPROVEMENTS

WHEREAS, the Water and Sewer Master Plan recommends construction of a new water main from the Rocky Pen Run Water Treatment Facility to the 342 Water Pressure Zone; and

WHEREAS, Sullivan, Donahoe & Ingalls has been selected and approved by the Board of Supervisors to provide engineering and design services to the Department of Utilities in pursuit of projects included in its Capital Improvements Program (CIP); and

WHEREAS, funds are available in the FY 2011 CIP budget for completion of this project; and

WHEREAS, Sullivan, Donahoe & Ingalls has proposed to provide the engineering and design services for these improvements in an amount not to exceed \$236,340;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute a contract with Sullivan, Donahoe & Ingalls in an amount not to exceed Two Hundred Thirty-Six Thousand Three Hundred Forty Dollars (\$236,340), unless changed by a duly-executed change order, for engineering and design services for Phase II of the 342 Water Zone System Improvements.

<u>Item 17. Utilities; Authorize a Contract for Engineering and Design Services for Claiborne Run Pump Station Generator Upgrades</u>

Resolution R11-158 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A CONTRACT FOR ENGINEERING AND DESIGN SERVICES FOR THE UPGRADES TO THE CLAIBORNE RUN SEWAGE PUMP STATION GENERATOR

WHEREAS, the generator at the Claiborne Run Sewage Pump Station needs to be upgraded to meet current and future power demands of the Station during power outages; and

WHEREAS, this Capital Project has been approved and funds are available in the FY11 Budget; and

WHEREAS, the Board adopted Resolution R10-332, which authorized a list of engineers approved by staff and selected to be used in support of the Utilities Department's Capital Improvements Plan; and

WHEREAS, Draper Aden Associates was one of the engineering firms selected and has proposed to provide engineering and design services for these upgrades for a fee not to exceed \$118,700; and

WHEREAS, staff reviewed Draper Aden Associates' proposal and determined that it is reasonable; and

WHEREAS, staff determined that Draper Aden Associates is the most qualified to provide engineering and design services for these upgrades;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute a contract with Draper Aden Associates in an amount not to exceed One Hundred Eighteen Thousand Seven Hundred Dollars (\$118,700), unless changed by a duly-executed change order, for engineering and design services for the Claiborne Run Sewage Pump Station Generator upgrades.

Item 18. Utilities; Authorize a Contract Amendment for Utilities Billing Services

Resolution R11-159 reads as follows:

A RESOLUTION TO AUTHORIZE EXTENSION OF THE CONTRACT FOR UTILITIES BILLING SERVICES TO CSG SYSTEMS, INC.

WHEREAS, the Department of Utilities uses CSG Systems, Inc. (formerly DataProse) for electronic utility bill printing and mailing services; and

WHEREAS, the existing contract contains a provision for renewal for up to nine (9) additional one-year periods; and

WHEREAS, funds have been appropriated in the FY2012 Utilities Administration Operating Budget for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute a contract amendment with CSG Systems, Inc. to provide utility bill printing and mailing services in an amount not to exceed One Hundred Eightyseven Thousand Two Hundred Dollars (\$187,200) in FY2012.

<u>Item 19. Utilities; Authorize the County Administrator to Execute a Declaration of Restriction for a Conservation Easement on County-Owned Property at Musselman Park</u>

Resolution R11-160 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A DECLARATION OF COVENANTS, RESTRICTIONS, AND CONSERVATION EASEMENT ON COUNTY-OWNED PROPERTY, TAX MAP PARCEL 45-127G

WHEREAS, the Board authorized the design of the dam necessary to create the Rocky Pen Run Reservoir; and

WHEREAS, regulatory permits acquired for the dam require environmental mitigation including a mitigation plan; and

WHEREAS, Tax Map Parcel 45-127G was chosen by agreement between the County and the U. S. Army Corps of Engineers; and

WHEREAS, the U. S. Army Corps of Engineers approved mitigation plan includes Tax Map Parcel 45-127G as a stream buffer enhancement project, which was chosen in an agreement with the County; and

WHEREAS, all of the approved mitigation projects are required to have a Declaration of Covenants, Restrictions and Conservation Easement recorded in the Circuit Court Clerk's office;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute a Declaration of Covenants, Restrictions, and Conservation Easement on Tax Map Parcel 45-127G as it pertains to mitigation efforts for Rocky Pen Run Reservoir.

Item 20. Planning and Zoning; Authorize a Public Hearing to Amend Chapter 22A of the Stafford County Code Entitled "Purchase of Development Rights"

Resolution R11-152 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO ADVERTISE A PUBLIC HEARING TO AMEND AND REORDAIN STAFFORD COUNTY CODE, CHAPTER 22A, ENTITLED "PURCHASE OF DEVELOPMENT RIGHTS"

WHEREAS, in 2007, the Board established Stafford County Code, Chapter 22A, "Purchase of Development Rights"; and

WHEREAS, the Agricultural/Purchase of Development Rights Committee is recommending amendments to Chapter 22A which facilitates the process of purchasing easements for properties in exchange for severed development rights; and

WHEREAS, the Board believes that public necessity, convenience, general welfare, and good zoning practices require adoption of the proposed ordinance; and

WHEREAS, the Board desires to consider public comment concerning these proposed changes;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that County Administrator be and he hereby is authorized to advertise a public hearing to amend and reordain Stafford County Code, Chapter 22A, entitled "Purchase of Development Rights."

Item 21. Public Works; Endorse Design of Mountain View Road Safety Improvements

Resolution R11-163 reads as follows:

A RESOLUTION TO APPROVE THE DESIGN OF THE MOUNTAIN VIEW ROAD IMPROVEMENTS

WHEREAS, the County has advanced the design of the Mountain View Road improvements, between Rose Hill Farm Drive and Joshua Road, to the point where acquisition of right-of-way can proceed; and

WHEREAS, the County has completed the public hearing for the project, prepared transcripts of the proceedings, and is prepared to request authorization for right-of-way acquisition; and

WHEREAS, Board approval of the road design is necessary for the Virginia Department of Transportation (VDOT) to consider authorization for right-of-way acquisition; and

WHEREAS, VDOT must forward this request to the Commonwealth Transportation Board (CTB) for approval;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the design of the Mountain View Road improvements, between Rose Hill Farm Drive to a point 0.25 miles north of the intersection with Joshua Road, is approved, and VDOT is requested to forward the request to the CTB to authorize the project for right-of-way acquisition.

<u>Item 22.</u> Sheriff; Authorize Award of a Contract for the Purchase of identified Projects in the Interoperable Emergency Communications Grant Program (IECGP)

Resolution R11-157 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO AWARD A CONTRACT FOR THE PURCHASE AND INSTALLATION OF RADIO INTEROPERABILITY AND ASSOCIATED EQUIPMENT

WHEREAS, the Sheriff desires to make the necessary purchases of equipment and associated accessories, along with subsequent installation and training, to facilitate the Regional Interoperability Project as authorized by the Board pursuant to Resolution R09-411; and

WHEREAS, the current lack of radio interoperability within the region has been recognized as an area to be improved upon; and

WHEREAS, the vendor of choice for the project is Systems Engineering Technologies Corporation (SyTech); and

WHEREAS, the City of Lynchburg has an existing contract with SyTech that the County may utilize as a cooperative procurement;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that it be and hereby does authorize the County Administrator to award a contract to SyTech and authorize the County Administrator to execute a contract with SyTech in an amount not to exceed One Million Four Hundred Fifty-five Thousand Dollars (\$1,455,000).

Item 23. Sheriff; Authorize the County Administrator to Extend the Current Contract with RCC, Inc. for Consultant Services Related to the Final Installation and Acceptance of the Public Safety Radio Communications System

Resolution R11-126 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXTEND THE CURRENT CONTRACT WITH RCC, INC. FOR CONSULTANT SERVICES RELATED TO FINAL INSTALLATION AND ACCEPTANCE OF THE PUBLIC SAFETY RADIO COMMUNICATIONS SYSTEM

WHEREAS, the County has previously contracted with RCC, Inc. (RCC) for the radio communications system consulting services; and

WHEREAS, the County's contract with RCC allows for two annual extensions; and

WHEREAS, RCC's services are needed through final installation and acceptance of the radio communications system; and

WHEREAS, RCC submitted projected consulting costs to complete the radio communications system project of \$233,330 through June, 2011; and

WHEREAS, funds have been budgeted for this expenditure; and

WHEREAS, the Sheriff's Office has reviewed the projected costs and determined that they are reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this 17th day of May, 2011, that the County Administrator be and he hereby is authorized to execute a contract extension with RCC, Inc. for consulting services in an amount not to exceed Two Hundred Thirty-three Thousand Three Hundred Thirty Dollars (\$233,330).

<u>Item 25.</u> <u>Legislative; Authorize the Reappointment of Matthew Zurasky to the Rappahannock Area Community Services Board</u>

Sheriff; Approve Application for a Community Oriented Policing Services (COPS) Grant Sheriff Charles Jett gave a presentation and answered Board members questions.

Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution R11-162.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Dudenhefer, Snellings, Stimpson, Woodson

Nay: (0)

Resolution R11-162 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES FOR SEVEN DEPUTY SHERIFF I POSITIONS

WHEREAS, the COPS Hiring Program provides funding directly to law enforcement agencies to hire new law enforcement officers in an effort to create new jobs, and to increase their community policing capacity and crime-prevention efforts; and

WHEREAS, the Sheriff's Office desires to achieve a 40% Uncommitted Patrol Time for Community Policing Projects; and

WHEREAS, the Grant will cover 100 percent of the entry-level salary and fringe benefits of each newly-hired, full-time, sworn career law enforcement officer for thirty-six (36) months; and

WHEREAS, the Grant will reimburse Stafford County up to One Million Four Hundred Thirty-six Thousand, Nine Hundred Thirty-five Dollars (\$1,436,935) for salary and benefits for a thirty-six (36) month period for each of the seven (7) positions; and

WHEREAS, the County will have a local funding impact in the fourth year of Five Hundred and Eight Thousand Dollars (\$508,000) when the County must retain any Grant-funded officer positions awarded for at least twelve (12) months after the thirty-six (36) months of federal funding has ended for each position; and

WHEREAS, the Sheriff's Office would like to seek funding for seven (7) entry-level Deputy Sheriff I positions through the COPS Grant;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to apply to the United States Department of Justice for a COPS Grant.

<u>Legislative</u>; <u>Request Conveyance of School Board Property (Tax Map Parcel 21 65F)</u> Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

Mr. Woodson motioned, seconded by Mr. Milde, to adopt proposed Resolution R11-161.

The Voting Board tally was:

Yea: (7) Sterling, Stimpson, Crisp, Dudenhefer, Milde, Snellings, Woodson

Nay: (0)

Resolution R11-161 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO REQUEST CONVEYANCE OF TAX MAP PARCEL 21 65F FROM THE STAFFORD COUNTY SCHOOL BOARD FOR USE AS THE STAFFORDBORO COMMUTER LOT

WHEREAS, the State has allocated \$5.5M in funding to VDOT for commuter parking in Stafford County; and

WHEREAS, providing additional commuter parking is in the best interest of the citizens of the County; and

WHEREAS, based on preliminary studies, approximately 850 additional commuter lot parking spaces would be available if Tax Map Parcel 21 65F is acquired from the School Board; and

WHEREAS, pursuant to Virginia Code § 22.1-129(A), the School Board may convey its real property to the Board, including the real property known as Tax Map Parcel 21 65F;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that it be and hereby does request the School Board to convey Tax Map Parcel 21 65F to the County, and to authorize the County Administrator to accept conveyance of Tax Map Parcel 21 65F.

Legislative; Authorize the County Administrator to Transfer \$1M in Recordation Tax Funds from the Transportation Fund to the School Capital Projects Fund Mr. Anthony Romanello, County Administrator, gave a presentation and answered Board members questions.

Mr. Sterling motioned, seconded by Ms. Stimpson, to adopt proposed Resolution R11-171

The Voting Board tally was:

Yea: (7) Sterling, Stimpson, Crisp, Dudenhefer, Milde, Snellings, Woodson

Nay: (0)

Resolution R11-171 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TRANSFER IN ONE MILLION DOLLARS (\$1,000,000) RECORDATION TAX FUNDS FROM THE TRANSPORTATION FUND TO THE SCHOOL BOARD CAPITAL PROJECTS FUND

WHEREAS, the FY 2012 Budget included One Million Dollars from the Transportation Fund for School capital projects;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that it be and hereby does authorize the County Administrator to transfer One Million Dollars (\$1,000,000) in recordation tax funds from the Transportation Fund to the School Board Capital Projects Fund on or after October 1, 2011.

<u>Item 29. Comprehensive Plan Discussion</u> Mr. Dudenhefer said that it was customary to adjourn to Closed Meeting, as well as legal, according to State Code. Mr. Dudenhefer said that Board authority was necessary to divulge information previously held as Attorney-Client privilege.

Mr. Crisp motioned, seconded by Mr. Sterling, to divulge the discussion held in Closed Meeting.

The Voting Board tally was:

Yea: (7) Crisp, Sterling, Dudenhefer, Milde, Snellings, Stimpson, Woodson

Nay: (0)

Mr. Sterling said that he voted not to discuss the Comprehensive Plan in Closed Meeting. He wanted the public to hear how badly the Planning Commission had erred, constrained the Board of Supervisors, and opened the matter up to Court challenges. He added that the Board cannot entertain changes to the Comprehensive Plan due to mistakes made by the Planning Commission nor can the Board adopt what the Planning Commission did due to the fact that the laws of the Commonwealth of Virginia were not followed.

Mr. Woodson discussed e-mail received from the County Attorney and questioned why it was labeled Attorney-Client privilege and was not made available for public review and said that he felt that it was a back-handed approach to achieve the pre-determined result to place a UDA at Brooke.

Mr. Shumate introduced Mr. Pat Taves who talked about the Comprehensive Plan, Urban Development Areas and significant dates, set by the Commonwealth. He added that the Plan should be brought back to the Board on June 7th for a vote on UDAs. Mr. Shumate

said that the Comprehensive Plan discussion was held in Closed Meeting so that the Board would know where they stood before the necessary vote on June 7th in order to meet the State's deadline of July 1st (the compliance date for UDAs). Mr. Sterling asked if there was another alternative. Mr. Taves responded, "Not at this point." Mr. Sterling said that the Rock Hill representative on the Planning District did not vote on this.

Ms. Stimpson noted that the Falmouth District representative on the Planning Commission did not vote on this and added that she is disappointed in the Planning Commission.

Mr. Crisp thanked Mr. Shumate for the drafted memo and talked about timing being the fundamental problem.

<u>Legislative</u>; <u>Closed Meeting</u>. At 10:24 p.m. Mr. Milde motioned, seconded by Ms. Stimpson, to adopt proposed Resolution CM11-09.

The Voting Board tally was:

Yea: (7) Milde, Stimpson, Crisp, Dudenhefer, Snellings, Sterling, Woodson

Nav: (0)

Resolution CM11-09 reads as follows:

A RESOLUTION TO AUTHORIZE CLOSED MEETING

WHEREAS, the Stafford County Board of Supervisors desires to discuss in Closed Meeting (1) legal advice regarding the George Washington Toll Road Authority; and (2) a Personnel Matter; and

WHEREAS, pursuant to Section 2.2-3711 A.1 and A.7, Va. Code Ann., such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 17th day of May, 2011, does hereby authorize discussions of the aforestated matters in Closed Meeting.

<u>Call to Order</u> At 10:39 p.m., the Chairman called the meeting back to order.

<u>Legislative</u>; <u>Closed Meeting Certification</u> Mr. Milde motioned, seconded by Mr. Sterling, to adopt proposed Resolution CM11-09(a).

The Voting Board tally was:

Yea: (7) Milde, Stimpson, Crisp, Dudenhefer, Snellings, Sterling, Woodson

Nay: (0)

Resolution CM11-09(a) reads as follows:

A RESOLUTION TO CERTIFY THE ACTIONS OF THE STAFFORD COUNTY BOARD OF SUPERVISORS IN A CLOSED MEETING ON MAY 17, 2011

WHEREAS, the Board has, on this the 17th day of May, 2011 adjourned into a closed meeting in accordance with a formal vote of the Board and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act, as it became effective July 1, 1989, provides for certification that such Closed Meeting was conducted in conformity with law;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors does hereby certify, on this the 17th day of May, 2011, that to the best of each member's knowledge: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were discussed in the Closed Meeting to which this certification applies; and (2) only such public business matters as were identified in the Motion by which the said Closed Meeting was convened were heard, discussed, or considered by the Board.

<u>Item 24. Legislative</u>; <u>Authorize a Public Hearing to Consider Stafford County Joining the</u> George Washington Toll Road Authority

Mr. Milde motioned, seconded by Mr. Sterling to adopt proposed Resolution R11-167.

The Voting Board tally was:

Yea: (7) Milde, Sterling, Crisp, Stimpson, Dudenhefer, Snellings, Woodson

Nay: (0)

Resolution R11-167 reads as follows:

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR

TO ADVERTISE TWO (2) SEPARATE PUBLIC HEARINGS TO ENACT AND ORDAIN STAFFORD COUNTY CODE, CHAPTER 29, ENTITLED "GEORGE WASHINGTON TOLL ROAD AUTHORITY"

WHEREAS, during the 2009 reconvened Session, the General Assembly adopted legislation to create the George Washington Toll Road Authority (the Authority); and

WHEREAS, in 2010, the City of Fredericksburg and Spotsylvania County implemented the 2009 legislation by each locality's governing body holding at least two public hearings and adopting an ordinance; and

WHEREAS, during the 2011 Session, the General Assembly amended the legislation to add Stafford County as a participating locality in the Authority; and

WHEREAS, the Board desires and is required to hold at least two (2) separate public hearings regarding the Authority and the proposed Ordinance; and

WHEREAS, the Board finds that participating in the Authority serves the public health, safety, and welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 17th day of May, 2011, that the County Administrator be and he hereby is authorized to advertise two (2) separate public hearings to enact and ordain Stafford County Code, Chapter 29, entitled "George Washington Toll Road Authority."

Adjournment At 10:41, the Chairman declared the meeting adjourned.	
Anthony J. Romanello, ICMA-CM	Mark Dudenhefer
County Administrator	Chairman